

**United States District Court, Northern District of Illinois**

<b>Name of Assigned Judge or Magistrate Judge</b>	Maria Valdez	<b>Sitting Judge if Other than Assigned Judge</b>	
<b>CASE NUMBER</b>	09 C 7692	<b>DATE</b>	2/15/2012
<b>CASE TITLE</b>	GM Sign Inc vs. Groupe Cirque du Soleil Inc		

**DOCKET ENTRY TEXT**

Motion hearing held on Plaintiff's Motion for Dismissal Without Prejudice [92]. The Court had previously advised Plaintiff that it would only grant the motion to dismiss without prejudice only if the Plaintiff paid to Defendant reasonable fees and costs. The Plaintiff sought to argue that some of the work performed by the Defendant in this case would not be compensable since it might be duplicative of the work the Defendant may perform in another forum. This Court specifically advised the Plaintiff that it would not prejudge the issue, the Court gave Plaintiff no assurance that the fees and cost would exclude any particular matters. Having been so advised, Plaintiff still requested the case be dismissed without prejudice. The Court grants the Plaintiff's motion [92] and hereby dismisses Plaintiff's case without prejudice pursuant to Fed. R. Civ. P. 41(a)(2) conditioned on a payment of attorney's fees and costs to the Defendant. Defendant to submit to the Court a fee motion by 3 weeks. Plaintiff may file any objection by 2 weeks thereafter. Defendant may file any Reply by one week following the response. The Court will rule on the amount of fees and costs the Plaintiff must pay to the Defendant by mail.

Docketing to mail notices.

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Courtroom Deputy Initials:	yp
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